

REMARKS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Upon entry of the foregoing amendments, claims 1-4 and 6-9 and 12-24 will pending.

In order to materially advance prosecution, claim 1 and claim 9 are each amended to incorporate the subject matter of claim 5. In addition, the (meth)acrylate-containing resin is further described as selected from vinyl esters resins and vinyl ester urethane resins. The vinyl ester urethane resins are obtained by reacting an isocyanate, a polyol and a hydroxyl-terminated ester of (meth)acrylic acid (see, *e.g.*, page 4, lines 23-26; page 5, lines 25-32 (including the disclosure of US 3,876,726); and page 17, lines 10-13).

Further, technical/grammatical changes are also introduced. Claims 1 and 2-4 and 6-8 are amended to singularize "compositions" and to replace "characterized in that" by --wherein--. In claim 1, "based on" is replaced by --comprising--. Also in claim 1, the expression "where the curing is effected" is replaced by --where the curing may be effected-- to clarify that "curing" is not, *per se*, part of the subject matter of claim 1. The use of more conventional Markush terminology is adopted in claim 3. These changes are intended to make the claims read better by using more conventional patent claim terminology but without change in scope or meaning.

New claims 12 and 13 are directed to embodiments as described on page 4, lines 23-26. Claim 14 is directed to the embodiment wherein the radical forming system is present in the composition.

Claim 10 is replaced by new claims 15 and 18 with the additional clarification that the molded or structural parts have a thickness of at least 1 mm (millimeter) (see, *e.g.*, page 1, lines 16-19). New claims 16 and 17 and 19 and 20 are directed to the embodiments, envisioned by original claim 1 and the original disclosure regarding the particular radical-forming system and the optional use of an accelerator (see, *e.g.*, page 8, lines 17-19).

Claim 11 is replaced by new claims 21-24, again including the clarification of a thickness of at least 1 mm.

Accordingly, no new matter is added.

The cancellation of claims 10 and 11 obviates the rejection of these claims under 35 USC 101 and 35 USC 112, second paragraph. None of the newly added claims would be subject to either of these grounds of rejection.

The rejections of claims 1-4 and 7-11, under 35 USC 102(b) as anticipated by either Meixner *et al.* US 5,470,897 or Baum, US 3,721,722, are obviated by the incorporation of the subject matter of claim 5 into claims 1 and 9.

The rejection of claims 5 and 6 under 35 USC 103(a) as unpatentable over Killilea *et al.* US 5,777,024, (US 024) is respectfully traversed for at least the following reasons.

The disclosure of US 024 relates to a coating composition based on an allophanate-modified urethane resin which is crosslinked with itself or with an optional (meth)acrylate monomer material. See, *e.g.*, column 2, lines 39-41. The allophanate-modified urethane resin is prepared by reacting an allophanate-modified isocyanurate with a hydroxy-functional olefinic monomer, such as allyl alcohol, hydroxy-functional (meth)acrylate, allyl ether and/or vinyl ether. See, *e.g.*, column 2, lines 32-37.

US 024 does not, however, disclose a curable resin composition which includes a (meth)acrylate-containing resin which is at least one of a vinyl ester or a vinyl ester urethane resin which is the reaction product of an isocyanate with a polyol and a hydroxyl-terminated ester of (meth)acrylic acid. US 024 also fails to disclose using a curable resin to form molded parts or structural materials, especially, having a thickness of at least 1 mm.

Accordingly, the presently claimed embodiments of the invention would not have been *prima facie* obvious over US 024.

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

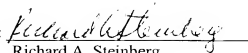
All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By:



Richard A. Steinberg
Registration No. 26,588
Direct No. (703) 905-2039

Paul L. Sharer
Registration No. 36,004
Direct No. (703) 905-2180

P.O. Box 10500
McLean, VA 22101
(703) 905-2000 Telephone
(703) 905-2500 Facsimile

Customer Number [00909]